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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,807	07/30/2003	Alicia Marie Russell	P23665	7782
7055	7590	06/23/2006		EXAMINER
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			PHAN, HUY Q	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/629,807	RUSSELL, ALICIA MARIE	
	<b>Examiner</b>	<b>Art Unit</b>	
	Huy Q. Phan	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 May 2006.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10, 12-19 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 21 is/are allowed.
- 6) Claim(s) 1-10, 12-16, 18, 19 and 22-24 is/are rejected.
- 7) Claim(s) 17 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

### **DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

#### ***Response to Amendment***

2. This Office Action is in response to Amendment filed on date: 05/15/2006.  
Claims 1-10, 12-19 and 21-24 are still pending.

#### ***Response to Arguments***

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10, 12, 14, 18, 19 and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Moeglein (US-2005/0037775).

Regarding claim 1, Moeglein discloses a system (fig. 10 and description) comprising:

a private wireless network access point located at a location [0050]; and  
a detector that detects when the access point has moved from the location [0056].

Regarding claim 2, Moeglein discloses the system according to claim 1, wherein the access point comprises:

a transceiver [0050];  
a voice and data connection ([0032] or [0039]); and  
an identification address ([0012] or [0042]).

Regarding claim 7, Moeglein discloses the system according to claim 1, further comprising: a mobile terminal that only accesses the private wireless network [0060].

Regarding claim 8, Moeglein discloses the system according to claim 1, further comprising: a mobile terminal that accesses the private wireless network and a public land mobile network [0055].

Regarding claim 9, Moeglein discloses the system according to claim 1, wherein the detector (described as “detects the presence of the cordless handset 104 in one area as reported by the wireless access point for that area and then detects the

presence of the cordless handset 104 in another area", see [0035]) detects when the access point has been disconnected from at least one of a voice and data connection (described as "when the telephone 106 is moved out of range of one or more wireless access points for communication through the unregulated wireless network 110, the telephone 106 automatically transitions into a regulated wireless mode for communication through the regulated wireless network 112" see [0021]) and a power supply.

Regarding claim 10, Moeglein discloses a method of operating a private wireless network (fig. 10 and description), comprising:

associating a telephone number with a call from a terminal in the private wireless network based upon an access point ID of an access point that interfaces with the terminal, the access point having been previously determined to be at a location [0060];  
determining whether the access point has moved from the location [0056].

Regarding claim 12, Moeglein discloses the method according to claim 10, wherein the call comprises an emergency call [0067].

Regarding claim 14, Moeglein discloses the method of operating a private wireless network according to claim 10, further comprising: wherein the private wireless network includes an access point having a transceiver that uses one a wireless protocol [0060].

Regarding claim 18, Moeglein discloses the method of operating a private wireless network according to claim 10, further comprising: prompting a subscriber to provide an identification of the access point and a telephone number ([0060]).

Regarding claim 19, Moeglein discloses the method of operating a private wireless network according to claim 10, further comprising: prompting a subscriber to provide an identification of the access point and a telephone number [0060]; and storing the identification of the access point and the telephone number ([0056]).

Regarding claim 22, Moeglein discloses a system (fig. 10 and description) comprising:

a detector that detects when a private wireless network access point has moved from a first location ([0056] and [0060]); and  
a network element (“a server”) that associates a telephone number with a call from the access point [0060].

Regarding claim 23, Moeglein discloses the system according to claim 22, wherein the detector is located in one of the access point or the network element (“the server tracks the collected position information about one or more mobile stations that receive the transmission from one access point in order to determine if the access point is moved” see [0056] or “detects, at a mobile station”, see [0060]).

Regarding claim 3, Moeglein discloses the system according to claim 23, wherein the network element further comprises a softswitch [0056].

Regarding claim 4, Moeglein discloses the system according to claim 3, wherein the softswitch further comprises:

at least one of a router ('access point" or "base staton" see [0049]-[0050]) and a gateway (fig. 5, 501); and  
a database ("server") that stores the telephone number and an access point identification ([0056] and [0060]).

Regarding claim 5, Moeglein discloses the system according to claim 23, wherein the network element further comprises an access point controller (inherently to ones of the network 501's structure in order for the network to control all the access points).

Regarding claim 6, Moeglein discloses the system according to claim 5, wherein the access point controller comprises:

at least one of a router and a gateway (fig. 5 and its description); and  
a database ("server") that stores the telephone number and an access point identification ([0056] and [0060]).

Regarding claim 24, Moeglein discloses the system according to claim 22, wherein the detector detects whether the access point has moved to a second location (“recent coverage area” see [0056]).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a) Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moeglein in view of Kolsky (US- 2002/0142763).

Regarding claim 13, Moeglein discloses the method as recited in the rejection of claim 10. But, Moeglein does not particularly show appending the telephone number to call setup signaling information. However, Kolsky teaches that “where the ID is embedded as a caller ID in the call set-up message [0052]; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Moeglein as taught by Kolsky in order to check “the identity of the calling party” (see specification [0007]).

b) Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moeglein in view of Bichot (US- 2005/0002346).

Regarding claim 15, Moeglein discloses the method as recited in the rejection of claim 10. But, Moeglein does not particularly show determining when the access point loses one of a power, and a voice and data connection; and setting a status to PENDING when it is determined that the access point lost one of the connections. However, Bichot teaches that "Another potential method of implementing a paging mechanism between an access point and a mobile terminal might be for the mobile terminal to actually disconnect from the access point and periodically connect to the access point in order to check with the corresponding convergence layer to determine whether downlink messages are pending" (see [0006]); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Moeglein as taught by Bichot in order for the system to determine the present connection between the mobile station and the access point.

Regarding claim 16, Moeglein and Bichot disclose the method of operating a private wireless network according to claim 15. Moeglein further discloses setting the status to ACTIVE when it is confirmed that the access point has not been removed from the location (described as "the server may update the information about the access point in an ongoing basis" (see [0056]).

***Allowable Subject Matter***

6. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reason for the indication of allowance with the same reasons set forth in the previous Office Action mailed 03/10/2006 (page 10).

**Reasons for Allowance**

7. Claim 21 is allowed.

The following is a statement of reason for the indication of allowance with the same reasons set forth in the Office Action mailed 03/10/2006 (page 10).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 571-272-7924. The examiner can normally be reached on 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Huy Q. Phan

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER

Examiner: Phan, Huy Q.      AU: 2617      Date: 06/19/2006